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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 03-07-70345
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME
v.	)	
	)	
GLENIO JESUA FERREIRA SILVA,	)	
	)	
Defendant.	)	
_____	)	

On June 18, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from June 18, 2007 through July 11, 2007. The parties represented that granting the continuance was necessary for continuity of counsel, taking into account the exercise of due diligence, insofar as counsel for the defendant and counsel for the Government are each unavailable for certain dates within this period. Counsel for the defendant also agreed to waive the defendant's right to a preliminary hearing within 20 days, pursuant to Fed. R. Crim. P. 5.1(c), in light of these scheduling conflicts. The parties also represented that the continuance was also necessary for effective preparation of counsel to permit defense counsel to review discovery. See 18 U.S.C. § 3161(h)(8)(B)(iv).

1 IT IS SO STIPULATED.

2 SCOTT N. SCHOOLS  
3 United States Attorney

4 DATED: June 22, 2007

5 DENISE MARIE BARTON  
6 Assistant United States Attorney


7 DATED: June 22, 2007

8 STEVEN GRUEL  
9 Attorney for GLENIO JESUA FERREIRA  
10 SILVA

11  
12 **IT IS SO ORDERED.**

13 As the Court found on June 18, 2007, and for the reasons stated above, the Court finds that  
14 the ends of justice served by the continuance outweigh the best interests of the public and the  
15 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
16 calculations from June 18, 2007 through July 11, 2007 for continuity of counsel and effective  
17 preparation of counsel. See 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested  
18 continuance would deny the defendant continuity of counsel and effective preparation of  
19 counsel, taking into account the exercise of due diligence, and would result in a miscarriage of  
20 justice. See 18 U.S.C. §3161(h)(8)(B)(iv).  
21

22  
23 DATED: June 27, 2007

24   
25 Honorable Bernard Zimmerman  
26 United States Magistrate Judge

